

MINUTES

MONTANA SENATE 61st LEGISLATURE - REGULAR SESSION COMMITTEE ON STATE ADMINISTRATION

Call to Order: Chairman Jim Shockley, on February 16, 2009 at 3:00 P.M., in Room 335 Capitol.

ROLL CALL

Members Present:

Sen. Jim Shockley, Chairman (R)
Sen. John Brueggeman, Vice Chairman (R)
Sen. Keith Bales (R)
Sen. Joe Balyeat (R)
Sen. Jerry W. Black (R)
Sen. John Brenden (R)
Sen. Mike Cooney (D)
Sen. Larry Jent (D)
Sen. Carolyn Squires (D)
Sen. Joseph (Joe) Tropila (D)
Sen. Jonathan Windy Boy (D)

Members Excused: None.

Members Absent: None.

Staff Present: Dave Bohyer, Legislative Branch
Libby Goodwin, Committee Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: SB 20, 2/13/2009; SB 348, 2/9/2009;
SB 367, 2/11/2009; SR 2, 2/11/2009

Executive Action: SR 2, SB 20, SB 348, SB 358

HEARING ON SB 348

00:00:21 **Opening Statement by Sponsor:** Sen. Jeff Essmann (R), SD
28, opened the hearing on SB 348, Const. referendum on
annual legislative sessions, split into regular and
budget.

EXHIBIT(sts36a01)

Proponents' Testimony:

00:05:06 John Bennion, Montana Chamber of Commerce

Opponents' Testimony:

00:06:49 None

Informational Testimony:

00:06:52 None

Questions from Committee Members and Responses:

00:06:56 Sen. Cooney
00:07:39 Mr. Bennion, Montana Chamber of Commerce
00:08:05 Sen. Cooney
00:08:45 Mr. Bennion, Montana Chamber of Commerce
00:09:22 Sen. Cooney
00:09:56 Sen. Essmann
00:11:21 Sen. Balyeat
00:12:13 Sen. Essmann
00:13:10 Sen. Balyeat
00:13:21 Sen. Essmann
00:13:37 Sen. Balyeat
00:14:13 Sen. Essmann
00:15:05 Sen. Black
00:15:15 Sen. Essmann
00:15:48 Sen. Black
00:16:10 Sen. Essmann
00:17:24 Sen. Squires
00:17:38 Sen. Essmann
00:18:08 Sen. Squires
00:18:28 Sen. Essmann
00:19:01 Sen. Squires
00:19:42 Sen. Essmann
00:19:55 Chairman Shockley
00:20:06 Sen. Essmann
00:20:09 Chairman Shockley
00:20:15 Sen. Essmann
00:21:03 Chairman Shockley

00:21:32 Sen. Essmann

00:21:51 Sen. Bales

00:22:36 Sen. Essmann

00:23:13 **Closing by Sponsor:** Sen. Essmann

00:24:32 Chairman Shockley relinquished the chair to Vice-Chairman Brueggeman.

HEARING ON SR 2

00:24:42 **Opening Statement by Sponsor:** Sen. Jim Shockley (R), SD 45, opened the hearing on SR 2, Confirm certain governor's appointees.

Proponents' Testimony:

00:26:44 Patti Keebler, Governor's Office

Opponents' Testimony:

00:28:35 Sen. Windy Boy

Informational Testimony:

00:29:02 None

Questions from Committee Members and Responses:

00:29:13 Sen. Squires

00:29:37 Ms. Keebler, Governor's Office

00:30:03 Sen. Squires

00:30:13 Ms. Keebler, Governor's Office

00:30:17 Sen. Bales

00:30:44 Ms. Keebler, Governor's Office

00:31:04 Sen. Bales

00:31:12 Ms. Keebler, Governor's Office

00:31:23 Sen. Balyeat

00:31:46 Ms. Keebler, Governor's Office

00:32:12 Sen. Balyeat

00:32:15 Ms. Keebler

00:32:26 Sen. Cooney

00:33:02 **Closing by Sponsor:** Sen. Shockley

00:33:12 Sen. Shockley resumed the Chair.

HEARING ON SB 367

00:33:48 **Opening Statement by Sponsor:** Sen. Bradley Hamlett (D),
SD 10, opened the hearing on SB 367, Electronic
absentee voting for military.

EXHIBIT(sts36a02)

Proponents' Testimony:

00:36:44 Sen. Zinke, self

00:38:57 Roger Hagan, Montana Army National Guard and Montana
Air National Guard

00:43:49 Chairman Shockley

00:44:06 Lisa Kimmett, Commissioner of Political Practices
(COPP)

EXHIBIT(sts36a03)

00:45:50 Linda Stoll, Montana Association of Clerk and Recorders

Opponents' Testimony:

00:47:35 None

Informational Testimony:

00:47:41 None

Questions from Committee Members and Responses:

00:47:48 Sen. Bales

00:48:50 Ms. Kimmett, COPP

00:49:38 Sen. Hamlett

00:50:12 Sen. Bales

00:50:34 Sen. Zinke

00:52:39 Sen. Cooney

00:53:32 Sen. Zinke

00:54:47 Sen. Cooney

00:55:35 Ms. Kimmett, COPP

00:56:55 Sen. Cooney

00:57:33 Sen. Hamlett

00:57:43 Sen. Cooney

00:58:23 Sen. Hamlett

00:59:45 **Closing by Sponsor:** Sen. Hamlett

HEARING ON SB 20

01:00:28 **Opening Statement by Sponsor:** Sen. Larry Jent (D), SD 32, opened the hearing on SB 20, Purpose statement for MAPA.

Proponents' Testimony:

01:05:40 Ann Brodsky, Governor's Office
EXHIBIT(sts36a04)

Opponents' Testimony:

01:06:42 None

Informational Testimony:

01:06:47 None

Questions from Committee Members and Responses:

01:08:04 Chairman Shockley

01:08:38 Sen. Jent

01:09:16 Chairman Shockley

01:09:20 Sen. Jent

01:09:50 **Closing by Sponsor:** Sen. Jent

DISCUSSION FOR COMMITTEE BILL DRAFT REQUEST:

01:10:08 Chairman Shockley

01:10:19 Sen. Windy Boy

01:10:58 Chairman Shockley

01:11:08 Sen. Windy Boy

01:11:37 Sen. Squires

01:11:52 Chairman Shockley

01:11:59 **Motion:** Sen. Windy Boy moved that **COMMITTEE APPROVE BILL DRAFT REQUEST.**

01:12:19 Chairman Shockley

01:12:29 Sen. Windy Boy withdrew the motion.

EXECUTIVE ACTION ON SR 2

Discussion:

01:12:53 Sen. Cooney

01:13:01 Dave Bohyer

01:14:03 Sen. Cooney

01:14:19 Chairman Shockley

01:14:59 Sen. Cooney

01:15:18 Sen. Bales

01:15:51 Dave Bohyer

01:16:33 Sen. Squires

01:17:13 **Motion/Vote:** Sen. Shockley moved that **SR 2 BE ADOPTED.**
Motion carried unanimously by voice vote.

01:17:46 Sen. Cooney

01:18:09 Chairman Shockley

EXECUTIVE ACTION ON COMMITTEE BILL DRAFT REQUEST

01:19:27 Sen. Windy Boy

01:19:39 **Motion:** Sen. Windy Boy moved the **COMMITTEE BILL DRAFT REQUEST.**

01:19:48 Sen. Cooney

01:20:15 **Vote:** Motion carried unanimously by voice vote.

Discussion:

01:20:42 Sen. Shockley

01:21:05 Sen. Balyeat

01:21:18 Sen. Tropila

01:21:37 Chairman Shockley

01:22:00 Sen. Cooney

01:22:37 Sen. Bales

01:22:51 Chairman Shockley

01:23:16 Sen. Squires

01:23:20 Sen. Cooney
01:23:40 Dave Bohyer
01:24:39 Sen. Balyeat

EXECUTIVE ACTION ON SB 20

01:24:53 **Motion/Vote:** Sen. Jent moved that **SB 20 DO PASS AS AMENDED**. Motion carried unanimously by voice vote.
Sen. Bales voted by proxy.

EXECUTIVE ACTION ON SB 348

01:27:02 **Motion:** Sen. Windy Boy moved that **SB 348 DO PASS**.

Discussion:

01:27:31 Sen. Cooney
01:29:45 Sen. Balyeat
01:30:33 Sen. Brueggeman
01:33:41 Sen. Squires
01:34:09 Sen. Brenden
01:35:09 Sen. Windy Boy
01:35:35 Dave Bohyer
01:36:10 Sen. Windy Boy
01:36:20 Dave Bohyer
01:36:41 Chairman Shockley
01:37:57 Sen. Cooney
01:39:40 Sen. Squires
01:40:02 Chairman Shockley
01:40:08 Sen. Balyeat
01:41:31 Sen. Brueggeman
01:43:06 Chairman Shockley
01:44:29 Sen. Squires
01:45:13 Chairman Shockley
01:45:47 Sen. Balyeat
01:46:56 Sen. Brueggeman
01:48:12 Sen. Cooney
01:49:40 Sen. Black
01:51:38 Clayton Schenck, Legislative Fiscal Division (LFD)
01:54:15 Chairman Shockley
01:54:22 Mr. Schenck, LFD
01:54:32 Sen. Black
01:54:48 Chairman Shockley

01:55:02 **Vote:** Motion carried 6-5 by roll call vote with Sen. Cooney, Sen. Jent, Sen. Squires, Sen. Tropila, and Sen. Windy Boy voting no. Sen. Bales voted by proxy.

01:57:50 recess
02:06:04 reconvene

EXECUTIVE ACTION ON SB 358

02:06:26 **Motion:** Sen. Windy Boy moved that **SB 358 DO PASS.**

02:09:40 **Motion:** Sen. Windy Boy moved that **SB 358 BE AMENDED.**
EXHIBIT(sts36a05)

Discussion:

02:06:45 Dave Bohyer
02:07:40 Sen. Cooney

02:08:40 **Vote:** Motion carried unanimously by voice vote. Sen. Bales voted by proxy.

02:08:58 **Motion:** Sen. Windy Boy moved that **SB 358 DO PASS AS AMENDED.**

02:10:45 Sen. Balyeat
02:11:16 Sen. Brenden
02:14:01 Sen. Windy Boy

02:14:11 **Vote:** Motion failed 4-7 by roll call vote with Sen. Cooney, Sen. Squires, Sen. Tropila, and Sen. Windy Boy voting aye. Sen. Bales voted by proxy.

02:15:23 Chairman Shockley, without objection from the committee, tabled the bill and reversed the vote.

ADJOURNMENT

02:15:40 Adjournment: 5:20 P.M.

Libby Goodwin, Secretary

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Additional Documents:

EXHIBIT ([sts36aad.pdf](#))